

BILL NO. G-94-10-17

GENERAL ORDINANCE NO. G-26-94

AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA,
AMENDING GENERAL ORDINANCE NO. G-09-
90.

WHEREAS, the Common Council of the City of Fort Wayne passed General Ordinance No. G-09-90 fixing the fee the Fort Wayne Police Department may charge for vehicle accident reports at \$5.00; and

WHEREAS, General Ordinance No. G-09-90, pursuant to I.C. 9-3-1-3, states vehicle accident report fees shall be deposited in a separate account known as the "Accident Report Account;" and

WHEREAS, I.C. 9-29-11-1 replaces I.C. 9-3-1-3; and

WHEREAS, I.C. 9-29-11-1(b)(3) states that fees collected for vehicle accident reports shall be deposited in the local law enforcement continuing education fund.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Pursuant to I.C. 9-29-11-1(b)(3), fees collected for vehicle accident reports shall be deposited in the Local Law Enforcement Continuing Education Fund.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. TIMOTHY MCCAULAY, CITY ATTORNEY

BILL NO. G-90-03-21

GENERAL ORDINANCE NO. G-09-90

AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA
FIXING THE AMOUNT THE FORT WAYNE POLICE
DEPARTMENT MAY CHARGE FOR
ACCIDENT REPORTS

WHEREAS, S-89-11-39 increased the fee of accident reports from \$3.00 to \$10.00; and

WHEREAS, this increase has proven to be excessive.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. The fee the Fort Wayne Police Department may charge for accident reports made available to the public pursuant to I.C. 9-3-1-3 is hereby fixed at \$5.00 for each report.

SECTION 2. Pursuant to I.C. 9-3-1-3, said fees shall be deposited in a separate account known as the "Accident Report Account" and shall be expended at the discretion of the Chief of Police for any department purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Edmonds, GiaQuinta, Henry,
Long, Redd, Schmidt, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATED: 4-10-90

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-09-90 on the 10th day of April, 1990.

9-29-10-1. Reinstatement of driving license suspended under IC 9-25. — (a) The fee for the reinstatement of a driving license that was suspended under IC 9-25 is as follows:

- (1) For a first suspension, one hundred fifty dollars (\$150).
 - (2) For a second suspension, two hundred twenty-five dollars (\$225).
 - (3) For a third or subsequent suspension, three hundred dollars (\$300).
- (b) The following amount of each fee paid under this section shall be deposited in the financial responsibility compliance verification fund established by IC 9-25-9-7:

- (1) Of the fee paid for reinstatement after a first suspension, one hundred twenty dollars (\$120).
- (2) Of the fee paid for reinstatement after a second suspension, one hundred ninety-five dollars (\$195).
- (3) Of the fee paid for reinstatement after a third or subsequent suspension, two hundred seventy dollars (\$270).

(c) If:

- (1) A person's driving license is suspended for registering or operating a vehicle in violation of IC 9-25-4-1;
 - (2) The person is required to pay a fee for the reinstatement of the person's license under this section; and
 - (3) The person later establishes that the person did not register or operate a vehicle in violation of IC 9-25-4-1;
- the fee paid by the person under this section shall be refunded. [P.L.2-1991, § 17; P.L.59-1994, § 11.]

Amendments. The 1994 amendment follows* for "under IC 9-25-6 that is suspended is thirty dollars (\$30)".
Effective Dates. P.L.59-1994, § 11, July 1, 1994.

CHAPTER 11

FEES UNDER IC 9-26

SECTION.
9-29-11-1. Law enforcement fee fixed by ordinance — Accident report account.

9-29-11-1. Law enforcement fee fixed by ordinance — Accident report account. — (a) The main department, office, agency, or other person under whose supervision a law enforcement officer carries on the law

9-29-15-5

GENERAL PENALTY PROVISIONS

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enforcement officer's duties may charge a fee that is fixed by ordinance of the fiscal body in an amount not less than three dollars (\$3) for each report.

(b) The fee collected under subsection (a) shall be deposited in the following manner:

- (1) If the department supplying a copy of the accident report is the state police department, in a separate account known as the "accident report account." The account may be expended at the discretion of the state police superintendent for a purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents.
- (2) If the department supplying a copy of the accident report is the sheriff, county police, or county coroner, in a separate account known as the "accident report account." The account may be expended at the discretion of the chief administrative officer of the entity that charged the fee for any purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents.

- (3) If the department supplying a copy of the accident report is a city or town police department, in the local law enforcement continuing education fund established by IC 5-2-8-2. [P.L.2-1991, § 17; P.L.1-1993, § 60; P.L.48-1993, § 4.]

Amendments. The 1993 amendment by P.L.1-1993, in subsection (b), substituted "the entity under subsection (a) that charged the fee for any purpose" for "the bureau for any bureau purpose".

The 1993 amendment by P.L.48-1993 substituted "the following manner" for "a separate account to be known as the accident report account. The money may be expended at the direction of the chief administrative officer of the entity under subsection (a) that

charged the fee for any purpose reasonably related to the keeping of accident reports and records or the prevention of accidents" in subsection (b); and added subsections (b)(1), (b)(2), and (b)(3).

Effective Dates. P.L.1-1993, § 254, declared an emergency. Approved May 4, 1993. P.L.48-1993 contains no effective date provision. Pursuant to IC 1-1-3-3, the amendment takes effect July 1, 1993.

CHAPTER 15

FEES UNDER IC 9-31

SECTION.
9-29-15-5. Reissuance of certificate of registration under IC 9-31-3-13.

9-29-15-5. Reissuance of certificate of registration under IC 9-31-3-13. — (a) The fee for the reissuance of a certificate of registration under IC 9-31-3-13 is one dollar (\$1).

(b) The fee is retained by the bureau. [P.L.71-1991, § 10; P.L.1-1992, § 60.]

Read the first time in full and on motion by Vir Janto, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 11-22-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Vir Janto, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
EDMONDS				<u>✓</u>
GIAQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-13-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____ (SPECIAL) _____ (ZONING) _____ ORDINANCE RESOLUTION NO. G-26-94 on the 13th day of December, 1994

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Rebecca Perrie
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1994, at the hour of 10:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of December, 1994, at the hour of 5:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

M E M O R A N D U M

TO: MEMBERS OF COMMON COUNCIL
FROM: CAPT. D.A. HARTUP
DATE: OCT. 24, 1994
SUBJECT: ORDINANCE AMENDING GENERAL ORDINANCE NO. G-09-90

THIS ORDINANCE ESTABLISHES THE CORRECT WORDING OF THE ACCOUNT
IN WHICH MONEY COLLECTED FOR ACCIDENT REPORTS IS TO BE DEPOSITED.

THIS IS IN COMPLIANCE WITH I.C. 9-29-11-1 WHICH STATES THAT ALL
MONIES COLLECTED FROM VEHICLE ACCIDENT REPORT FEES BE DEPOSITED IN
THE LOCAL LAW ENFORCEMENT CONTINUING EDUCATION FUND.

IF YOU HAVE ANY QUESTIONS CONCERNING THIS ORDINANCE, PLEASE CONTACT
ME AT 427-1199.

G-94-11-17

DIGEST SHEET

TITLE OF ORDINANCE GENERAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE POLICE DEPARTMENT

SYNOPSIS OF ORDINANCE POLICE DEPARTMENT WILL BE IN COMPLIANCE WITH
I.C. 9-29-11-1 REQUIRING VEHICLE ACCIDENT REPORT FEES TO BE
DEPOSITED IN THE LOCAL LAW ENFORCEMENT CONTINUING EDUCATION FUND.

EFFECT OF PASSAGE DEPOSITED FEES WILL BE IN COMPLIANCE WITH I.C.
9-29-11-1.

EFFECT OF NON-PASSAGE FEES NOT DEPOSITED IN ACCOUNT REQUIRED BY
STATE LAW.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. G-94-11-17

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - MARK E. GIAQUINTA - CO-CHAIR
DONALD J. SCHMIDT
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) OF THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA AMENDING GENERAL ORDINANCE NO. G-09-90



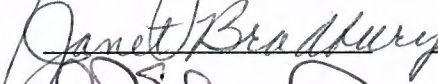
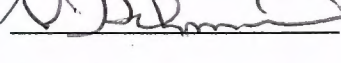
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
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DATED: 12-13-94.

Sandra E. Kennedy
City Clerk